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Appl. No. 09/675,286

Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing Amendment to the Claims, claims 1-6, 8-17, and 19-20 are pending in the application, of which claims 1, 10, and 13 are independent. By the foregoing Amendment, claims 1, 10, 13, and 19 are sought to be amended. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Rejection under 35 U.S.C. § 103

The Examiner, in paragraph 3 of the Final Office Action has rejected claims 1-2, 4-6, 9-17, and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,456,286 to Arai *et al.* (hereinafter “Arai”) in view of U.S. Patent No. 6,684,255 to Martin. Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Regarding independent claim 1, Arai does not teach Applicants’ elements of:

analyzing application input data for a compute-intensive application on a computer system of a customer using an application-specific module, wherein the application-specific module scans the application input data and collects statistical information relevant to calculating a computing time on a CPU farm to determine costs to run the compute-intensive application using the application input data on the CPU farm, wherein the statistical information represents a scaled-down representation of the application input data;

receiving the scaled-down representation of the application input data over a computer network; and

calculating a computing requirement based on the scaled-down representation.

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Unlike the present invention, which teaches a method for providing an accurate price quote to a customer for utilization of a CPU farm prior to that utilization, Arai teaches a method for reducing the number of polygons of a three dimensional character to be displayed while maintaining the perceived quality of the three dimensional character. Arai, col. 5, lines 38-45. Thus, contrary to the present invention, Arai teaches reducing the number of polygons for a three-dimensional character while maintaining the quality at a certain level. Arai, col. 5, lines 39-62; col. 7, lines 50-59; and col. 9, lines 30-47. In fact, Arai also does not teach or suggest determining cost. Instead, Arai teaches that changing the number of polygons results in rendering cost savings. *Arai*, col. 5, lines 53-57. Unlike Arai, the present invention “scans the application input data and collects statistical information relevant to calculating a computing time on a CPU farm to determine costs to run the compute-intensive application using the application input data on the CPU farm, wherein the statistical information represents a scaled-down representation of the application input data.” Thus, unlike Aria, the present invention uses the scaled-down representation to determine costs, not to save costs. Thus, the present invention uses the application input data, not the scaled-down representation of the application input data, for the rendering of the compute-intensive application.

The Examiner also states that Martin discloses the limitations of “calculating a turn-around time and an actual cost to a customer to run the compute intensive application with the application input data, on one or more processors, based on the calculated computing requirement” and “sending the turn-around time and the actual cost to a customer's client software.” Applicants respectfully disagree. Martin does not solve

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the deficiencies of Arai. Martin does not appear to teach or suggest Applicants' element of:

analyzing application input data for a compute-intensive application on a computer system of a customer using an application-specific module, wherein the application-specific module scans the application input data and collects statistical information relevant to calculating a computing time on a CPU farm to determine costs to run the compute-intensive application using the application input data on the CPU farm, wherein the statistical information represents a scaled-down representation of the application input data;

receiving the scaled-down representation of the application input data over a computer network; and

calculating a computing requirement based on the scaled-down representation.

Instead, Martin teaches transmitting one or more representations to a client based on a cost budget. *Martin, Abstract.* Martin does not teach or suggest scaled-down representations of application input data.

Thus, for at least the above reasons, Applicants respectfully submit that claim 1, and the claims that depend therefrom (claims 2-6 and 8-9), are patentable over Arai and Martin, separately or in combination.

Independent claims 10 and 13 include similar elements to independent claim 1. Thus, for at least the reasons stated above, independent claims 10 and 13, and the claims that depend therefrom (claims 11-12 and 14-17 and 19-20, respectively), are patentable over Arai and Martin, separately or in combination.

Thus, neither Arai nor Martin, separately or in combination, teach or suggest Applicants' claimed invention as recited in independent claims 1, 10, and 13. For at least the reasons stated above, claims 1, 10, and 13, and the claims that depend therefrom (claims 2-6 and 8-9, claims 11-12, and claims 14-17 and 19-20, respectively), are

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patentable over the cited references. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 10, and 13, and the claims that depend therefrom (claims 2-6 and 8-9, 11-12, and 14-17 and 19-20, respectively).

The Examiner, on page 7 of the Final Office Action, has rejected claims 3, 8, and 19 under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,456,286 to Arai in view of U.S. Patent No. 6,684,255 to Martin in view of U.S. Patent No. 5,854,752 to Agarwal. Applicants respectfully disagree. Claims 3, 8, and 19 depend from independent claims 1 and 13, respectively, and are patentable over Arai and Martin for at least the reasons stated above. Furthermore, Agarwal does not teach or suggest the features missing from Arai and Martin. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 3, 8, and 19.

Request for an Examiner Interview

Applicants respectfully request an Examiner Interview. Applicants respectfully request that the Examiner contact the Applicants' representative at the number provided to formally set a date and time to conduct the interview.

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Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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Dated: January 3, 2006

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I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

Crystal D. Sayles 1/3/06
Crystal D. Sayles Date